

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BIMBO BAKERIES USA, INC.,

Plaintiff,

v.

CHRIS BOTTICELLA,

Defendant.

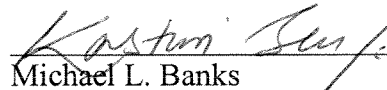
Civil Action No. \_\_\_\_\_

**PLAINTIFF'S MOTION FOR TEMPORARY AND  
PRELIMINARY INJUNCTION AND OTHER RELIEF**

Pursuant to Rule 65 (a) of the Federal Rules of Civil Procedure, Plaintiff Bimbo Bakeries USA, Inc. ("BBakeries" or "Company"), by and through its undersigned counsel, moves the Court for an Order enjoining Plaintiff from becoming employed by the Company's direct competitor, Hostess Brands, Inc., and from using or presenting Company trade secrets or other confidential and proprietary information belonging to BBakeries, its parents, subsidiaries or affiliates, to third-parties, including Hostess Brands, Inc. Plaintiff relies upon the attached Declaration and support exhibits, together with its Memorandum of Law and Complaint.

Dated: January 15, 2010

Respectfully submitted,



Michael L. Banks

Victoria L. Gorokhovich

Kasturi Sen

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Attorneys for Plaintiff  
BIMBO BAKERIES USA, INC.

**CERTIFICATE OF SERVICE**

I, hereby certify that on this 15th day of January, 2010, I caused to be served a true and correct copy of the foregoing documents upon all other parties to this action by first class United States mail, postage prepaid, addressed as follows:

Chris Botticella  
31721 Via Coyote  
Trabuco Canyon, CA 92679

  
Kasturi Sen